

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JUAN CARLOS CALDERON,  
Plaintiff,  
v.  
P. COVELLO, *et al.*,  
Defendants.

Case No. 2:23-cv-01973-WBS-JDP (PC)

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 1, 2023, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has not filed objections to the findings and recommendations.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . .”). Having reviewed the file, the court finds the findings and recommendations to be supported by

the record and by the proper analysis.

Accordingly, IT IS HEREBY ORDERED that:


1. The findings and recommendations filed December 1, 2023, are adopted in full;

2. The complaint, ECF No. 1, is dismissed without leave to amend for failure to state a viable claim under section 1983.

3. Plaintiff's remaining motions, ECF Nos. 10, 11, 12, 13, & 14, are denied.

4. The Clerk of Court is directed to close this case.

Dated: January 4, 2024

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE